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**UNITED STATES DISTRICT COURT**  
*Eastern District of Washington*

TRACY A. JENSON,

Plaintiff,

v.

FEDERAL AVIATION ADMINISTRATION (FAA),  
U.S. DEPARTMENT OF TRANSPORTATION,

Defendants.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-10-234-CI

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED Defendant's Motion to Dismiss (ECF No. 34) is GRANTED as follows: Plaintiff's EPA claims, 29 U.S.C. 206(d), are DISMISSED WITHOUT PREJUDICE to Plaintiff pursuing his remaining remedies, if any, in the Court of Federal Claims; Plaintiff's Title VII claims, 42 U.S.C. 2000e, (gender discrimination claims) are DISMISSED WITH PREJUDICE for failure to state a claim; Plaintiff's ADEA (age discrimination) claim, 29 U.S.C. 261, is DISMISSED WITHOUT PREJUDICE for failing to allege exhaustion. In addition, Plaintiff has failed to allege with specificity that he applied for a position with the FAA for which he was qualified, or when he was denied employment based on his age; Plaintiff's conspiracy claim, 18 U.S.C. 241, is DISMISSED WITH PREJUDICE. Plaintiff's Complaint (ECF No. 3) is DISMISSED. Plaintiff's Motion to Order Deposition of Witnesses (ECF No. 42) is DENIED AS MOOT. Judgment is entered for Defendants. Each party shall bear its own costs. File closed.

June 22, 2011

Date

JAMES R. LARSEN

Clerk

s/ Cheryl Switzer

(By) Deputy Clerk

Cheryl Switzer